

Adopted at Meeting of 7/29/76

MEMORANDUM

Tabled: July 15, 1976
Resubmitted: July 29, 1976

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: ROBERT T. KENNEY, DIRECTOR

SUBJECT: TEXT AMENDMENT APPLICATION NO. 55 AND MAP AMENDMENT APPLICATION NO. 182, BY FENPAC: CREATION OF AN INSTITUTIONAL OVERLAY DISTRICT TO BE MAPPED IN THE FENWAY AREA.

FenPAC has filed applications for text and map amendments which would create a special overlay district, to be mapped in the Fenway area (see map), which would make a number of institutional/recreational uses conditional, rather than allowed, in the overlay district. The uses are ones which FenPAC feels could occupy buildings and land that are now vacant or in residential use and whose unregulated expansion could be detrimental to the community. The petitioners feel that further erosion of residential uses will destroy the viability of the existing residential community. Problems that are presently before the Fenway area are the closing and future reuse of St. Clement's Church and the interest shown by the Northeastern University Chapter of Hillel House in purchasing a rowhouse-type residential building. Plans of other institutions with sizable landholdings are in a state of flux and could have considerable impact on the community. Finally, uncontrolled institutional development could aggravate traffic congestion on major and many minor streets in the area, cause on-street parking spillover onto residential streets, and be an excessive burden on City services (i.e., fire, police, etc.).

The uses that would be made conditional where they are now allowed are nursing homes, homes for the aged, orphanages and the like, places of worship, monasteries, convents, libraries, museums, day care centers, private primary and secondary schools, private grounds for games and sports, adult education buildings, community centers, settlement houses, parish houses, and private clubs. Parking which is accessory to a conditional main use would also be made conditional.

In view of the concentration and potential impact of institutional land holdings and future development in the Fenway area, I recommend that the Authority support this FenPAC petition. A suitable vote follows.

VOTED: That in connection with Text Amendment Application No. 55 and Map Amendment Application No. 182 by the Fenway Project Area Committee (FenPAC), which would create an institutional overlay district and map such district in the Fenway area, the Authority recommends approval. This amendment would make certain nonmedical institutional uses and their accessory uses conditional where they are now allowed.

TO THE ZONING COMMISSION
OF THE CITY OF BOSTON:

The undersigned as owner(s) of the property at 53 St. Stephen Street,
Boston, hereby petition(s) for a change in the text of the Boston Zoning Code
as established by Chapter 665 of the Acts of 1956, as amended, as follows:

1. By striking out the last six paragraphs of Section 3-1 and inserting in place thereof the following section:

SECTION 3-1A. Special Purpose Overlay Districts. A subdistrict or part thereof or a contiguous group of subdistricts or parts thereof may be designated as a special purpose overlay district as follows: (a) planned development area (distinguished by the addition of the letter "D" to the designation of the subdistrict or subdistricts); (b) urban renewal area (distinguished by the addition of the letter "U" to the designation of the subdistrict or subdistricts); (c) adult entertainment district (distinguished by the addition of the letter "E" to the designation of the subdistrict or subdistricts); (d) restricted parking district; or (e) institutional district (distinguished by the addition of the letter "I" to the designation of the subdistrict or subdistricts). In an overlay district the regulations specified for the base subdistrict or subdistricts shall apply, insofar as they are not in conflict with special regulations specified for a particular overlay district.

2. By inserting into said Section 3-1A, following the above paragraph, the paragraphs, hereby struck from Section 3-1, headed Planned Development Areas, Urban Renewal Areas, Restricted Parking District and Adult Entertainment District.

3. By inserting into said Section 3-1A, following the paragraphs inserted by item 2 above, the following paragraph:

Institutional District. Notwithstanding the provisions of Table A of Section 8-7, in an institutional district the following uses are conditional uses in instances where they would otherwise be allowed under said Table A: any use listed under Use Item No. 16, 17, 20, 21, 22A, 28, 29, or 30. Use Item No. 72, accessory parking, shall be a conditional use if the main use to which it is accessory is in existence at the time that new or additional parking spaces are applied for and if such main use is a use listed under Use Item No. 11, 12, 13, 13A, 14, 16, 16A, 17, 18, 19, 20, 21, 22A, 28, 29 or 30.

4. By striking out Use Item No. 22 in Table A of Section 8-7 and inserting in place thereof the following use items:

22 Hospital; sanatorium; clinic or professional offices accessory to a hospital or sanatorium, whether or not on the same lot.....FFA*/A*A*/FFF

22A Convalescent, nursing or rest home; home for the aged; orphanage; or similar institution not for correctional purposes.....FFA*/A*A*/FFF

*Provided that custodial care is not provided for drug addicts, alcoholics or mentally ill or mentally deficient persons.

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Date: June 30, 1976

